

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 1:17cr00027</b>
	)	
<b>JOEL A. SMITHERS,</b>	)	
<b>Defendant,</b>	)	

**ORDER MODIFYING PRIOR DISCLOSURE ORDER  
AND LIMITING FURTHER DISCLOSURE**

On motion of the United States, at the request of defense counsel, it is hereby **ORDERED** as follows:

1. The Court's Order of September 12, 2017, limiting disclosure of materials provided by the United States is hereby modified to allow patient files and other records from the defendant's medical practice to be provided to the defendant, Joel A. Smithers, and the defendant's retained expert, Richard Rauck, M.D.;
2. Except as modified by this Order, the September 12, 2017, Order remains in full force and effect;
3. The defendant, Joel A. Smithers, and the defendant's expert, Richard Rauck, M.D., may not disclose or disseminate materials that were

provided to defense counsel by the United States to anyone other than defense counsel; and

4. Prior to providing any materials pursuant to this Order, defense counsel shall provide a copy of this Order to the defendant and Richard Rauck, M.D., and obtain written confirmation that the defendant and Dr. Rauck agree to comply with this Order.

Unauthorized disclosure of these materials or other violation of this Order may be deemed a contempt of court pursuant to Title 18, United States Code, Section 401.

**ENTERED:** December 31, 2018.

/s/ *Pamela Meade Sargent*  
UNITED STATES MAGISTRATE JUDGE